



3637

IN THE PATENT AND TM OFFICE

Appn. Number: 09/690,657

Art Unit: 3637

Filing Date: 03/02/01

Applicant: Thompson, Thomas C.

Appn. Title: Hurricane Shutter

Examiner: Dorsey, Dennis

AMB
17/03
8/8/03

Mailed July 18, 2003

AMENDMENT F

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed 06/18/03, I have included in this response the following:

1. Request to cancel claims 1-21.
2. Request to enter claims 22-35.
3. Certificate of Mailing.
4. Postcard.

Very respectfully,

Thomas C. Thompson

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RESPONSE:

1. **The amendment to the claims filed on March 4, 2003 does not comply with the requirements of 37 CFR 1.121(c) because a claim may be added only as a new claim with a new claim...The examiner suggests canceling all claims 1-21 and begin the numbering of the claims at claim 22.** The applicant agrees with the examiner and respectfully requests that the examiner cancel claims 1-21. The applicant also respectfully requests that the examiner enter claims 22-35. Claims 22-35 are included in this amendment.
2. **The applicant is reminded that when claiming a method or process there must be positively claimed method steps. For example, US Patent 5,383,315 Birs in claim 12 uses such phrases as “assembling”, “temporarily placing”, “removing”, “disassembling”, and “attaching”. These are clear steps in a method to improve the resistive strength of a hurricane shutter assembly. The applicant respectfully thanks the examiner for suggesting the correct way to write a method claim. The applicant has made these corrections to new claims 22-35.**
3. **The prior art made of record is considered pertinent to applicant’s disclosure.** The applicant has considered German patent number 25 12 779 A1 to Epperlein. Reading the basic abstract and viewing the figures, it appears that Epperlein’s bracket is inserted into a shallow annular groove, that is on the rear side of a thin panel. The applicant’s bracket is inserted into a deep groove, that is on the front side of thick masonry. Epperlein’s bracket appears to have two concentric, partial rings. An inner ring 4, and an outer ring 6. The applicant’s bracket consists of only one ring. Epperlein’s bracket appears to use small cutouts 8 on Fig. 1, and 7 on Fig. 3 to provide a friction fit into the annular groove. The applicant’s bracket uses an epoxy adhesive for attachment to the deep groove and top of the center core. These differences are cited in the new claims 22-35.
4. **Conclusion:**
For all the reasons given above, applicant respectfully submits that the renumbered and amended claims clear all rejections, and define over the cited reference. The claimed

distinctions are of patentable merit under Section 103 because of the tremendous results provided for a homeowner to retrofit masonry against earthquake and wind damage. Accordingly, applicant submits that this application is now in full condition for allowance, which action applicant respectfully solicits. If the examiner agrees but does not feel that the present claims are technically adequate, applicant respectfully requests that the examiner write acceptable claims pursuant to MPEP 707.07(j).

5. **Certificate of Mailing:**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

on July 18 2003 (date)

Typed name of person signing this certificate:

Thomas C. Thompson

Signature: Thomas C Thompson

Very Respectfully,

Thomas C Thompson

Thomas C. Thompson

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